

**FILED**

7-31-08

JUL 31 2008

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISIONMAGISTRATE JUDGE SUSAN E. COX  
UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA,

MAGISTRATE JUDGE COX

v.

**08CR 607**

IRENE PEMKOVA

CASE NUMBER: \_\_\_\_\_

**AFFIDAVIT IN REMOVAL PROCEEDINGS**

The undersigned Affiant personally appeared before SUSAN E. COX, a United States Magistrate Judge, and being duly sworn on oath, states: that at the CENTRAL DISTRICT OF CALIFORNIA, one IRENE PEMKOVA, was charged in an indictment with conspiring to defraud the United States, in violation of Title 18, United States Code, Section 371, and wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2, and that on the basis of Affiant's investigation and information received concerning the case through official channels, does hereby certify that a Warrant for Arrest is outstanding for the arrest of said defendant. (See Attached - Warrant for Arrest and Indictment).

Wherefore, Affiant prays that the defendant be dealt with according to law.




---

 Lisa Schmadtke  
 Agent, Federal Bureau of Investigation

 Subscribed and Sworn to before me this  
31<sup>st</sup> Day of July, 2008



---

 SUSAN E. COX  
 United States Magistrate Judge

---

 AUSA Bethany K. Biesenthal

Bond set [or recommended] by issuing Court at \_\_\_\_\_

005-19-2004 22111

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

United States of America,

Plaintiff(s)

CASE NUMBER:

SA CR 08 - 00180

IRENE PEMKOVA

Defendant(s)

WARRANT FOR ARREST

TO: UNITED STATES MARSHAL AND ANY AUTHORIZED UNITED STATES OFFICER

YOU ARE HEREBY COMMANDED to arrest IRENE PEMKOVA  
and bring him/her forthwith to the nearest Magistrate Judge to answer a(n): ☐ Complaint ☒ Indictment  
☐ Information ☐ Order of Court ☐ Violation Petition ☐ Violation Notice  
charging him/her with: (ENTER DESCRIPTION OF OFFENSE BELOW)  
Conspiracy; Wire Fraud; Aiding and Abetting/Causing an Act to be Done

in violation of Title 18 United States Code, Section(s) 371; 1343; 2

Sherri R. Carter

NAME OF ISSUING OFFICER

Clerk of Court

TITLE OF ISSUING OFFICER

DODJIE GARGANTOS

SIGNATURE OF DEPUTY CLERK

SEAL

18 JUL 2008

SANTA ANA, CA

DATE AND LOCATION OF ISSUANCE

PHYLLIS H. BLACK

BY:

NAME OF JUDICIAL OFFICER

RETURN

THIS WARRANT WAS RECEIVED AND EXECUTED WITH THE ARREST OF THE ABOVE-NAMED DEFENDANT AT (LOCATION):

DATE RECEIVED

NAME OF ARRESTING OFFICER

DATE OF ARREST

TITLE

DISCRIPTIVE INFORMATION FOR DEFENDANT  
CONTAINED ON PAGE TWO

SIGNATURE OF ARRESTING OFFICER

WARRANT FOR ARREST

SEP-19-2004 22:11

F.01.

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

United States of America,

Plaintiff(s)

CASE NUMBER:

IRENE PEMKOVA

v.

Defendant(s)

**WARRANT FOR ARREST****ADDITIONAL DEFENDANT INFORMATION**

RACE:	SEX:	HEIGHT:	WEIGHT:	HAIR:	EYES:	OTHER:	
DATE OF BIRTH:		PLACE OF BIRTH:		SOCIAL SECURITY NO.		DRIVER'S LICENSE NO.	ISSUING STATE
ALIASES:		SCARS, TATTOOS OR OTHER DISTINGUISHING MARKS:					
AUTO YEAR:	AUTO MAKE:	AUTO MODEL:		AUTO COLOR:		AUTO LICENSE NO.	ISSUING STATE
LAST KNOWN RESIDENCE:				LAST KNOWN EMPLOYMENT:			
FBI NUMBER: ADDITIONAL INFORMATION:							
INVESTIGATIVE AGENCY NAME:				INVESTIGATIVE AGENCY ADDRESS:			

NOTES:

**WARRANT FOR ARREST**

FILED

2008 JUL -3 PM 3:03

U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

BY \_\_\_\_\_

COPY

UNFILED

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

October 2007 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOSES ONCIU,  
BEATA GIZELLA PRIORE, and  
IRENE PEMKOVA,

Defendants.

**SACR-08-00180**

**INDICTMENT**

[18 U.S.C. § 371: Conspiracy; 18  
U.S.C. § 1343: Wire Fraud; 18  
U.S.C. § 2: Aiding and Abetting/  
Causing an Act To Be Done]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 371]

A. INTRODUCTION

At all times relevant to this Indictment:

1. Defendant MOSES ONCIU was a resident of Fountain Hills, Arizona, and a director of David and Goliath International Ministries ("D&G").
2. Defendant BEATA GIZELLA PRIORE was a resident of Glen Head, New York.

1           3. Defendant IRENE PEMKOVA was a resident of Las Vegas, Nevada.

2           4. Special agents of the Federal Bureau of Investigation (FBI)  
3 conducted an undercover investigation into fraudulent high yield  
4 investment schemes. The undercover investigation specifically targeted  
5 those persons who fraudulently offered substantial returns on  
6 investments with low or no risk of loss.

7           5. As part of the undercover investigation, the FBI established  
8 an undercover entity (UCE) in Newport Beach, California that purported  
9 to be a financial advisory firm. FBI undercover agents (UCAs) posed  
10 either as partners of the UCE seeking to invest their own funds or as  
11 wealthy clients of the UCE seeking to invest substantial monies.

12           6. A "High Yield Investment Program" (HYIP) is a general term  
13 given to fraud schemes that are known by various specific names,  
14 including "Prime Bank Guarantees," "Prime Bank Debenture Programs,"  
15 "Medium Term Note Trading Programs," and "Roll Programs." Such programs  
16 do not exist as legitimate investment vehicles. In these schemes, the  
17 fraud perpetrator claims to have privileged access to secret financial  
18 trading programs, which are falsely represented to be sanctioned by the  
19 U.S. Federal Reserve Bank, the U.S. Treasury Department, the World Bank,  
20 or some other entity involved in international monetary transactions or  
21 policy. Claims are typically made that a privileged few are invited to  
22 participate in the trading of some form of bank security such as bank  
23 guarantees, notes, stocks, or debentures, which can be bought at a  
24 discount and sold at a premium. It is often claimed that there are only  
25 a few "traders" or "commitment holders" in the world who are authorized  
26 to resell these bank securities between the top 25 or 50 banks in the  
27 world, often falsely referred to as "Prime Banks." By conducting  
28 multiple "trades" in rapid succession, they claim to be able to produce

1 extraordinary rates of returns, far beyond any normal investment. It is  
2 often further claimed that one of the primary reasons these trading  
3 programs exist is to generate funds for humanitarian purposes and that a  
4 portion of the investor's profits must be used to provide humanitarian  
5 relief and aid somewhere.

6 7. The perpetrators of HYIPS claim that a high degree of secrecy  
7 is required of the unsuspecting investor in order to participate in the  
8 program, and require the execution of various documents which have no  
9 meaning in legitimate financial transactions. Typically, the investor  
10 first is directed to provide a "Letter of Intent," a "Non-Solicitation  
11 Agreement," a "Confidentiality Agreement," a "Non-Circumvention Letter,"  
12 a "Bank Proof of Funds," a "Client Information Summary," and a copy of  
13 the investor's passport. The investor is typically told that he must go  
14 through "compliance," which will purportedly be done by the FBI, Central  
15 Intelligence Agency, Federal Reserve Bank or some other government  
16 "compliance officer." The investor is also told that his funds must be  
17 verified on a "bank to bank" basis to make sure that they do exist and  
18 that the funds must be "good, clean, clear funds of non-criminal  
19 origin." The investor typically is assured that his funds are  
20 absolutely safe and never at risk in any way. The scheme is designed to  
21 gradually progress to its ultimate goal of gaining control of all or a  
22 portion of the investor's funds.

23 B. OBJECT OF THE CONSPIRACY

24 8. Beginning on or about November 29, 2006, and continuing to on  
25 or about March 7, 2007, in Orange County, within the Central District of  
26 California and elsewhere, defendants ONCIU, PRIORE, and PEMKOVA,  
27 together with others known and unknown to the Grand Jury, knowingly  
28 combined, conspired, and agreed with each other to commit the following

1 offense against the United States: wire fraud, in violation of Title 18,  
2 United States Code, Section 1343, in connection with the promotion of  
3 fraudulent high yield investment schemes promising extremely high  
4 returns at little or no risk to principal.

5 C. MANNER AND MEANS OF THE CONSPIRACY

6 The manner and means by which the defendants and their co-  
7 conspirators sought to accomplish the conspiracy included, among other  
8 things, the following:

9 9. Defendants made fraudulent representations and promises to the  
10 UCA about defendants' ability to place the UCA's client-investor into a  
11 select, secret HYIP.

12 10. Defendants fraudulently represented they had successfully  
13 closed previous deals in which extraordinary rates of return were  
14 realized by other investors.

15 11. Defendants fraudulently represented that they had access to a  
16 HYIP that would yield a 300% to 650% return in 30 to 45 days at no risk.

17 12. Defendants, for the purpose of promoting their fraudulent  
18 investment program, made telephone calls to the UCA in Orange County,  
19 California, and sent email transmissions to the UCA in Orange County,  
20 California.

21 D. OVERT ACTS

22 13. In furtherance of the conspiracy, and to accomplish its object  
23 of the conspiracy, defendants ONCIU, PRIORE, and PEMKOVA, together with  
24 others known and unknown to the Grand Jury, committed and willfully  
25 caused others to commit the following over acts, among others, in the  
26 Central District of California and elsewhere:

27 Overt Act No. 1: On or about November 29, 2006, defendant  
28 PEMKOVA had a telephone conversation with the UCA.

1           Overt Act No. 2: On or about November 29, 2006, during a  
2 phone conversation with the UCA, defendant PEMKOVA stated, among other  
3 things, that:

4           a. The UCA could expect a call from a "Dr. Priore" in Europe  
5 who was working with the bank involved in the program; and

6           b. Defendant PEMKOVA had other clients in the program, which  
7 was a "working program," and who had already been paid.

8           Overt Act No. 3: On or about November 29, 2006, defendant  
9 PEMKOVA sent an email to the UCA.

10           Overt Act No. 4: On or about November 29, 2006, during a  
11 telephone conversation with the UCA, defendant PEMKOVA stated, among  
12 other things, that:

13           a. D&G was a humanitarian foundation under the Central  
14 Intelligence Agency (CIA) umbrella;

15           b. Defendant ONCIU was a former, highly placed CIA officer  
16 and a director of D&G; and

17           c. A humanitarian project was required for entry into the  
18 program.

19           Overt Act No. 5: On or about November 29, 2006, defendant  
20 PEMKOVA sent the UCA an email that stated, among other things, that the  
21 UCA could expect a call from defendant PRIORE the next day and that  
22 defendant PEMKOVA would arrange a phone conference with defendant ONCIU.

23           Overt Act No. 6: On or about November 30, 2006, during a  
24 phone conversation with the UCA, defendant PRIORE stated, among other  
25 things, that:

26           a. Defendant PRIORE was calling from the trading group in  
27 Frankfurt;

28           b. The investment program was run by the TSI Consulting



1 Group in Frankfurt;

2 c. The program yields returns that are 6.5 times the  
3 original investment in 30 to 45 days;

4 d. The investment is "pretty much risk free";

5 e. Defendant PRIORE had been in the business of high-  
6 yielding investments for seven years and has seen people make these  
7 kinds of returns in the past; and

8 f. The program required a minimum investment of \$1 million;

9 Overt Act No. 7: On or about November 30, 2006, defendant  
10 PRIORE sent the UCA an email.

11 Overt Act No. 8: On or about December 1, 2006, defendant  
12 PRIORE sent the UCA an email.

13 Overt Act No. 9: On or about December 1, 2006, defendant  
14 PRIORE sent the UCA an email.

15 Overt Act No. 10: On or about December 4, 2006, during a  
16 telephone conference call with the UCA (the "12/4/06 Conference Call"),  
17 defendant ONCIU stated, among other things, that:

18 a. Defendant Onciu usually doesn't do transactions of less  
19 than \$100 million;

20 b. Making a return of 100% per month is not abnormal;

21 c. Defendant Onciu's role in this transaction is to provide  
22 the humanitarian element required for these transactions;

23 d. The program is highly confidential and the government  
24 does not want people talking about such investment programs; and

25 e. Defendant Onciu would reduce his fees if it would  
26 influence the UCA to invest in the program.

27 Overt Act No. 11: On or about December 4, 2006, defendant  
28 PEMKOVA participated in the 12/4/06 Conference Call.

1           Overt Act No. 12:   On or about December 5, 2006, during a  
2 phone conversation with the UCA, defendant PRIORE stated, among other  
3 things, that a client of hers invested \$1 million in the program and  
4 made a return of \$6.5 million.

5           Overt Act No. 13:   On or about January 6, 2007, defendant  
6 PRIORE met with the UCA.

COUNTS TWO THROUGH SIX

(18 U.S.C. §§ 1343 and 2)

14. Paragraphs 1 through 13 are realleged and incorporated herein by reference, as if set forth in full.

15. Beginning on or about November 29, 2006, and continuing to on or about March 7, 2007 in Orange County, within the Central District of California, and elsewhere, defendants ONCIU, PRIORE, and PEMKOVA, together with others known and unknown to the Grand Jury, knowingly and with intent to defraud, devised, participated in, and executed a scheme to defraud as to material matters, and to obtain money and property by means of material false and fraudulent pretenses, representations, and promises, and the concealment of material facts.

16. On or about the dates set forth below, within the Central District of California and elsewhere, defendants ONCIU, PRIORE, and PEMKOVA, for the purpose of executing the above-described scheme to defraud, transmitted, willfully caused the transmission, and aided and abetted the transmission of, the following items by means of wire and radio communication in interstate and foreign commerce:

COUNT	DATE	WIRE TRANSMISSION
2	11/29/06	Email from defendant PEMKOVA, sent from <u>amartyk@yahoo.com</u> through a server in Las Vegas, Nevada to the UCA in Newport Beach, California
3	11/29/06	Email from defendant PEMKOVA, sent from <u>amartyk@yahoo.com</u> through a server in Las Vegas, Nevada to the UCA in Newport Beach, California
4	11/30/06	Email from defendant PRIORE, sent from <u>drbpriore@maxfoundation.us</u> , sent through a server in Arizona to the UCA in Newport Beach, California
5	12/01/06	Email from defendant PRIORE, sent from <u>drbpriore@maxfoundation.us</u> , sent through a server in Arizona to the UCA in Newport Beach, California

COUNT	DATE	WIRE TRANSMISSION
6	12/01/06	Email from defendant PRIORE, sent from <u>drbpriore@maxfoundation.us</u> , sent through a server in Arizona to the UCA in Newport Beach, California

A TRUE BILL

FOREPERSON

THOMAS P. O'BRIEN  
United States Attorney

CHRISTINE C. EWELL  
Assistant United States Attorney  
Chief, Criminal Division

  
DOUGLAS F. MCCORMICK  
Assistant United States Attorney  
Acting Chief, Santa Ana Office

IVY A. WANG  
Assistant United States Attorney